

STATE OF CALIFORNIA

GRAY DAVIS, Governor

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

50 CALIFORNIA STREET, SUITE 2800
SAN FRANCISCO, CALIFORNIA 94111
PHONE: (415) 352-3600
<http://www.bcdc.ca.gov>

May 8, 2001

Mr. Dan Gorfain
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, California 95825-8202

SUBJECT: Renewal of Lease to Shore Terminals, LLC, Notice of Preparation
State Clearing House No. 2001042022
Inquiry File No. CC.MZ.7134.2

Dear Mr. Gorfain:

Thank you for the opportunity to review the Notice of Preparation for the renewal of the lease to Shore Terminals, LLC, City of Martinez, Contra Costa County. We have reviewed the document and have determined that the project (the renewal of the lease) would not necessarily "place fill, ... extract materials, or ... make any substantial change in use of any water, land or structure..." as defined in the §66632 of the McAteer-Petris Act; therefore, no BCDC authorization would be needed.

However, please note that the marine facility is within the Commission's jurisdiction. When work is proposed at the marine facility, Shore Terminals, LLC, would need to secure the appropriate authorization(s) for such work. Additionally, Shore Terminals, LLC, is required to have an approved oil spill contingency plan pursuant to the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act, and BCDC is required to review and comment on that plan. If the renewal of the lease would result in any changes the marine facility's existing oil spill contingency plan, we would appreciate notice of the changes so that we may perform our required review and comment.

Again, thank you for the opportunity to review the Notice of Preparation for the renewal of the lease to Shore Terminals, LLC. If you have any questions regarding this matter, please do not hesitate to contact me at (415) 352-3641 or nicks@bcdd.ca.gov.

Sincerely,



NICHOLAS SALCEDO
Coastal Analyst

NS/kw

cc: Shore Terminals, LLC
State Clearinghouse; Attn: Katie Shulle-Jung

MAY 11 2001

Dedicated to making San Francisco Bay better.